



DEPARTMENT OF THE NAVY

CRANE DIVISION  
NAVAL SURFACE WARFARE CENTER  
300 HIGHWAY 361  
CRANE INDIANA 47522-5001

IN REPLY REFER TO:

5720

00L/16F012.4

**19 OCT 2016**

Mr. James C. Collins  
Nine Akira Way  
Londonderry, NH 03053

Dear Mr. Collins:

This letter is in final response to your Freedom of Information Act (FOIA) request received at Naval Surface Warfare Center (NSWC), Crane Division on May 16, 2016. Your request indicated that you are seeking documents pertaining to contract N00164-16-G-JQ15. You are specifically requesting "The contract awarded on 06 May 2016 to Kent Optronics Inc., 40 Corporate Park Drive, Hopewell Junction, New York 12533, for Wide Field-of-View Night Vision System, Retrofits, and Data. Any attachments (PS, SOW, CDRL's, etc.) located in Section J, and any changes that were made to those documents since contract award. Any contract modifications issued to date. Delivery Orders released to date, including any modifications to such Delivery Orders. Any Request for Deviation, Request for Waiver, or Engineering Change Proposals submitted for government review. All DD 250's processed to date."

Your request was assigned local Case File Number 2016-F-012. Also, as mentioned in your email dated May 17, 2016, you indicated that you would accept clearly releasable information.

As it was received, the FOIA request stated that you agreed to pay FOIA processing fees of up to \$25.00. You were assigned into the "Commercial" fee category. As per the FOIA Improvement Act of 2016, due to the response time to your request exceeding the statutorily regulated time there is no charge for your request.

Fourteen (14) potential responsive documents were located and were redacted consistent with three applicable FOIA exemptions at 5 U.S.C. § 552(b) exemptions 3, 4, and 6. Exemption (b)(3) exempts information that is covered by another statute that specifically exempts the information and permits no discretion on the issues. In this case, statute FOIA exemption (b)(3) exempts records from release that are specifically exempted from disclosure by statute 10 U.S.C. § 130. The relevant portion of the statute provides the following:

(a) Notwithstanding any other provision of law, the Secretary of Defense may withhold from public disclosure any technical data with military or space applications in the possession of, or under the control of, the Department of Defense, if such data may not be exported lawfully outside the United States without an approval, authorization, or license under the Export Administration Act of

1979 (50 U.S.C. App. 2401-2420) or the Arms Export Control Act  
(22 U.S.C. 2751 et seq.)

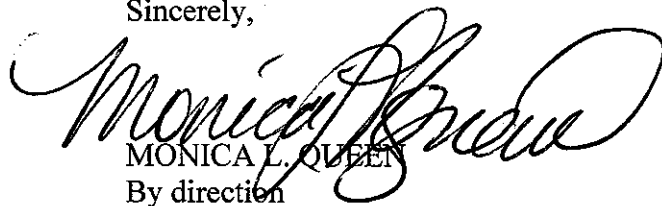
Access to the document is subject to the provisions of Department of Defense Directive 5230.25, Withholding of Unclassified Technical Data From Public Disclosure. You may wish to refer to that Directive for further information about access to the document by qualified U.S. Contractors.

Exemption (b)(4) protects commercial or financial information received from a private source when disclosure is likely to cause substantial competitive harm to the source.

Finally, exemption (b)(6) exempts personal information from release which, if released would result in a clearly unwarranted invasion of personal privacy. Each redaction has been annotated to show the applicable FOIA exemption.

If you have any questions concerning this response, you may contact Ms. Monica L. Queen, at (812) 854-8725, or by email at [monica.l.queen@navy.mil](mailto:monica.l.queen@navy.mil).

Sincerely,



MONICA L. QUEEN  
By direction

Enclosure: (1) Document Listing  
(2) Responsive Documents (14)

**Document List for FOIA Request 2016-F-012**  
**(Documents Pertaining to Contract N00164-16-G-JQ15)**

<b>Document Number</b>	<b>Document Name</b>	<b>Exemption</b>
1	r 1-N00164-16-G-JQ15	Exemption (b)(4) and (b)(6) were applied
2	r 2-N00164-16-G-JQ15-P00001	Exemption (b)(6) were applied
3	r 3-A001	Exemption (b)(6) were applied
4	r 4-A002	Exemption (b)(6) were applied
5	r 5-A003	Exemption (b)(6) were applied
6	r 6-A004	Exemption (b)(6) were applied
7	r 7-A005	Exemption (b)(6) were applied
8	r 8-A006	Exemption (b)(6) were applied
9	r 9-A007	Exemption (b)(6) were applied
10	r 10-A008	Exemption (b)(6) were applied
11	r 11-A009	Exemption (b)(6) were applied
12	r 12-A010	Exemption (b)(6) were applied
13	r 13-A011	Exemption (b)(6) were applied
14	r 14-Perf Specs	Exemption (b)(3)

ENCLOSURE ( / )